

Original sponsor: Transportation Committee

Offered: 3/3/82  
Referred: Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 652 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the transfer to municipalities of  
7 responsibilities of the Department of Transportation  
8 and Public Facilities for maintenance of state highways  
9 and airports; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 \* Section 1. AS 19.10.030 is amended to read:

12 Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is  
13 responsible for the construction and maintenance of the state highway  
14 system unless the responsibility for maintenance is transferred to a  
15 municipality under AS 19.20.013.

16 \* Sec 2. AS 19.20 is amended by adding a new section to read:

17 Sec. 19.20.013. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)  
18 A municipality may, by resolution of its governing body, request the  
19 transfer to it of the responsibility of the department for the mainten-  
20 ance of state highways within the municipality.

21 (b) After receipt of a resolution under (a) of this section, the  
22 commissioner may enter into an agreement with the municipal officials  
23 specifying the terms and conditions by which the maintenance of state  
24 highways is transferred to the municipality. The terms of the agreement  
25 shall be determined by negotiations with the municipality. The commis-  
26 sioner shall require terms and conditions in an agreement under this  
27 subsection to assure compliance with the requirements of this title.  
28 The commissioner may include other terms and conditions to protect the  
29 public interest. The effective date of the agreement shall be a date

1 that is not later than five years after the date of the resolution of  
2 the governing body of the municipality requesting the transfer.

3 (c) If the commissioner and a municipality enter into an agreement  
4 for the transfer of state highway maintenance to the municipality, the  
5 commissioner shall annually pay to the municipality, for the period  
6 beginning with the effective date of the transfer, the amount the com-  
7 missioner determines to be the cost to the state for maintenance of the  
8 state highways transferred under the agreement during the fiscal year  
9 preceding the effective date of the transfer, adjusted annually for  
10 inflation.

11 (d) If an agreement to transfer responsibility for maintenance of  
12 a highway is entered into under this section with a municipality that  
13 does not otherwise have the power to maintain highways, that municipality  
14 is granted the power to perform the agreement.

15 (e) In this section,

16 (1) "municipality" means a political subdivision of the state  
17 that is a city, borough, or unified municipality, and includes a home  
18 rule and a general law municipality;

19 (2) "state highway" means a highway or road located in the  
20 state and officially designated by the department as a portion of the  
21 state highway system under AS 19.10.020.

22 \* Sec. 3. AS 02.15 is amended by adding a new section to read:

23 Sec. 02.15.062. LOCAL CONTROL OF AIRPORT MAINTENANCE. (a) A  
24 municipality may, by resolution of its governing body, request the  
25 transfer to it of the responsibility of the department for the mainten-  
26 ance of airports within the municipality.

27 (b) After receipt of a resolution under (a) of this section, the  
28 commissioner may enter into an agreement with the municipal officials  
29 specifying the terms and conditions by which the maintenance of airports

1 is transferred to the municipality. The terms of the agreement shall be  
2 determined by negotiations with the municipality. The commissioner  
3 shall require terms and conditions in an agreement under this subsection  
4 to assure compliance with the requirements of this title. The commis-  
5 sioner may include other terms and conditions to protect the public  
6 interest. The effective date of the agreement shall be a date that is  
7 not later than five years after the date of the resolution of the govern-  
8 ing body of the municipality requesting the transfer.

9 (c) If the commissioner and a municipality enter into an agreement  
10 for the transfer of airport maintenance to the municipality, the commis-  
11 sioner shall annually pay to the municipality, for the period beginning  
12 with the effective date of the transfer, the amount the commissioner  
13 determines to be the cost to the state for maintenance of the airports  
14 transferred under the agreement during the fiscal year preceding the  
15 effective date of the transfer, adjusted annually for inflation.

16 (d) If an agreement to transfer responsibility for maintenance of  
17 an airport is entered into under this section with a municipality that  
18 does not otherwise have the power to maintain airports, that municipal-  
19 ity is granted the power to perform the agreement.

20 \* Sec. 4. This Act takes effect July 1, 1982.  
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